

**DECLARATION**

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors believe they are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled \*, the specification of which:

\_\_\_\_\_ is attached hereto.

  X   was filed on November 12, 1999 as Application Serial No. 09/440,037 and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)			Priority
			<u>Claimed</u>
			Yes/No
_____ (Number)	_____ (Country)	_____ (Date Filed)	
			Yes/No
_____ (Number)	_____ (Country)	_____ (Date Filed)	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status)

I hereby claim the benefit under title 35, United States code §119(e) of any United States provisional application(s) listed below:

(Application Serial No.) (Filing Date)

Please direct all communications as follows:

Timothy S. Corder, Patent Agent  
VINSON & ELKINS L.L.P.  
2300 First City Tower  
1001 Fannin Street  
Houston, Texas 77002-6760  
Ph: (512/495-8446)

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Remy F. Gross, II  
Inventor's Signature: *Remy F. Gross, II* Date: January 05, 2000.  
Country of Residence: United States Citizenship: United States  
Post Office Address: 750 Elmwood Street, Shreveport, LA. 71104  
(Include number, street name, city, state and zip code)

Inventor's Full Name: John P. Delmore  
Inventor's Signature: *John P. Delmore* Date: 01-6-00  
Country of Residence: USA Citizenship: USA  
Post Office Address: 416 Thompson St. Bossier City, LA 71111  
(Include number, street name, city, state and zip code)

Inventor's Full Name: Walter E. Buske  
Inventor's Signature: ✓ Date: ✓  
Country of Residence: ✓ Citizenship: ✓  
Post Office Address: ✓  
(Include number, street name, city, state and zip code)

I hereby claim the benefit under title 35, United States code §119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

Please direct all communications as follows:

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Inventor's Full Name: Remy F. Gross, II

Inventor's Signature: / Date: /

Country of Residence: / Citizenship: /

Post Office Address: /  
(Include number, street name, city, state and zip code)

Inventor's Full Name: John P. Delmore

Inventor's Signature: / Date: /

Country of Residence: / Citizenship: /

Post Office Address: /  
(Include number, street name, city, state and zip code)

Inventor's Full Name: Walter E. Buske Walter E. Buske 3 January 2000

Inventor's Signature: / Walter E. Buske Date: / 3 January 2000

Country of Residence: / USA Citizenship: / USA

Post Office Address: / 628 Canyon Greens Drive, Las Vegas NV  
(Include number, street name, city, state and zip code) 89134

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Gross *et al.*

Serial No09/440,037

Filed: November 12, 1999

For: ALL NATURAL ACCELERATED AGING  
OF DISTILLED SPIRITS

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: KAI475/4-002

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Willem G. Schuurman (Reg. No. 29,998); Gregory L. Porter (Reg. No. 40,131); Andrew G. DiNovo (Reg. No. 40,115), Minh-Hien Nguyen (Reg. No. 37,294); Adam V. Floyd (Reg. No. 39,192), Michael A. Sanzo (Reg. No. 36,912, Timothy S. Corder (Reg. No. 38,414), Tracey B. Davies (Reg. No. 44,644); and Stephen J. Moloney (Reg. No. 44,947).

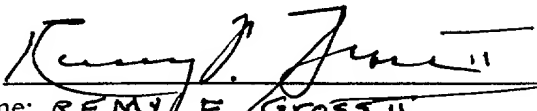
each an attorney or agent of the firm of Vinson & Elkins L.L.P., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Kairos Corporation, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Timothy S. Corder, Patent Agent  
VINSON & ELKINS L.L.P.  
2300 First City Tower  
1001 Fannin Street  
Houston, Texas 77002-6760  
Ph: (512/495-8446)

ASSIGNEE:  
KAIROS CORPORATION

By:   
Name: REMY F. GROSS II  
Title: PRESIDENT  
Date: January 05, 2000.

ASSIGNMENT:

☒ Concurrently filed  
☐ Previously recorded  
Date: \_\_\_\_\_  
Reel: \_\_\_\_\_  
Frames: \_\_\_\_\_

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gross *et al.*

Serial No.: 09/440,037

Filed: November 12, 1999

For: ALL NATURAL ACCELERATED AGING  
OF DISTILLED SPIRITS

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: KAI475/4-002

DECLARATION CLAIMING SMALL ENTITY STATUS  
37 C.F.R. §§ 1.9(F) AND 1.27(C) - SMALL BUSINESS CONCERN

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the small business concern identified below:

Name of Organization: KAIROS CORPORATION

Address of Organization: 1535 Market Street  
Shreveport, Louisiana 71101

The type of organization is a Small Business Concern.

I hereby declare that the organization identified above qualifies as a small business concern as defined in 37 C.F.R. § 1.9(d), and thus is a "small entity" as defined in § 1.9(f), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, with regard to the above-referenced application.

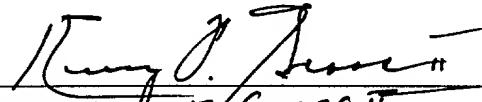
I hereby declare that exclusive rights to the invention have been conveyed to and remain with the organization, with respect to the above-referenced invention, nor have I assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR. § 1.9(d) or a non-

profit organization under 37 CFR § 1.9(e), with the exception that the Government may have rights in the invention pursuant to a funding agreement under 35 U.S.C. § 202(c)(4): None

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

KAIROS CORPORATION

By:   
Name: REMY F. GROSS II  
Title: PRESIDENT  
Date: January 05, 2000

PATENT  
KAI475/4-002ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to Kairos Corporation, (the "Assignee"), a corporation organized under the laws of the State of Alabama, and having a place of business at 1535 Market Street, Shreveport, Louisiana, 71101, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 09/440,037 filed on November 12, 1999, and is entitled All Natural Accelerated Aging of Distilled Spirits, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT that, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof, and generally do everything possible which the Assignee shall consider desirable for securing, maintaining and enforcing proper patent protection for such improvements and for vesting title to such improvements in the Assignee;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) ✓ Remy F. Gross, II Date: January 05, 2000  
Name: Remy F. Gross, II

BEFORE ME, the undersigned authority, on this 5<sup>th</sup> day of January, 2000, personally appeared Remy F. Gross, II, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

✓ Barbara B. Ansel  
Notary or Consular Officer

[SEAL]



(Signature) John P. Delmore Date: 1-5-00  
Name: John P. Delmore

BEFORE ME, the undersigned authority, on this 5<sup>th</sup> day of January, 2000, personally appeared John P. Delmore known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of her own free will for the purposes and consideration therein expressed.

Deborah B. Quire  
Notary or Consular Officer

[SEAL]

(Signature) \_\_\_\_\_ Date: \_\_\_\_\_  
Name: Walter E. Buske

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 2000, personally appeared Walter E. Buske known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

\_\_\_\_\_  
Notary or Consular Officer

[SEAL]

PATENT  
KAI475/4-002

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to Kairos Corporation, (the "Assignee"), a corporation organized under the laws of the State of Alabama, and having a place of business at 1535 Market Street, Shreveport, Louisiana, 71101, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 09/440,037 filed on November 12, 1999, and is entitled All Natural Accelerated Aging of Distilled Spirits, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT that, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements, oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof, and generally do everything possible which the Assignee shall consider desirable for securing, maintaining and enforcing proper patent protection for such improvements and for vesting title to such improvements in the Assignee;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) ✓ \_\_\_\_\_ Date: ✓ \_\_\_\_\_  
Name: Remy F. Gross, II.

BEFORE ME, the undersigned authority, on this ✓ \_\_\_\_\_ day of ✓ \_\_\_\_\_, 2000, personally appeared Remy F. Gross, II, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

\_\_\_\_\_  
Notary or Consular Officer

[SEAL]

(Signature) \_\_\_\_\_ Date: \_\_\_\_\_  
Name: John P. Delmore

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 2000, personally appeared John P. Delmore known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of her own free will for the purposes and consideration therein expressed.

\_\_\_\_\_  
Notary or Consular Officer

[SEAL]

(Signature) \_\_\_\_\_ Date: January 10, 2000  
Name: Walter E. Buske  
U.S. PPT. 150240585

BEFORE ME, the undersigned authority, on this 10th day of January, 2000, personally appeared Walter E. Buske known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

\_\_\_\_\_  
Notary or Consular Officer

**RAMON A. NEGRON**  
Vice Consul of the United States of America

[SEAL]

SS:  
United Mexican States  
State of Jalisco  
City of Guadalajara  
Consulate General of the  
United States of America